

**THE MINUTES OF THE HOUSE STANDING COMMITTEE
ON
JUDICIARY**

Tuesday, November 1, 2005

10:30 a.m.

Room 308 House Office Building

The House Standing Committee on Judiciary was called to order by **Representative William Van Regenmorter**, Chair.

MEMBERS PRESENT: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Elsenheimer, Jones, David Law, Rocca, Lipsey and Virgil Smith.

MEMBERS ABSENT/EXCUSED: Representatives Stakoe, Condino, Adamini, McConico and Bieda.

Representative Nofs moved to adopt the minutes of the **October 26, 2005** meeting. The motion was supported by **Representative Jones**. There being no objection, the motion prevailed by unanimous consent.

Chairman Van Regenmorter laid **HB 5268** and **HB 5269** before the committee:

HB 5268 Meyer Crimes; other; torture; prohibit and provide penalties.

HB 5269 Nofs Criminal procedure; sentencing guidelines; sentencing guidelines for crime of torture; create.

TESTIMONY

Representative Meyer, sponsor of HB 5268, explained his bill to the committee.

John Hallacy, Calhoun County Prosecuting Attorney, testified in support of the bills.

Representative Nofs, sponsor of HB 5269, explained his bill to the committee.

Greg Zarotney, representing the Michigan State Police, submitted a card in support of HB 5268 and HB 5269.

David Newman, representing the Michigan Department of Corrections, submitted a card indicating neutrality on HB 5269.

Chairman Van Regenmorter laid **SB 308** before the committee:

SB 308 Olshove Crimes; obscenity; parent displaying sexually explicit material to minor; establish as a crime.

TESTIMONY

Connie Platte, from Senator Olshove's office, testified in support of the bill.

Suzanne Faunce, representing the Macomb County Prosecutor's Office, testified in support of the bill.

Sheila Scheppman, representing herself, testified in support of the bill.

Elizabeth Carey, representing the Michigan Federation for Children and Families, testified in support of the bill.

Cindy Bridgman, representing the Child Advocacy Centers, testified in support of the bill.

Greg Zarotney, representing the Michigan State Police, submitted a card in support of SB 308.

Chairman Van Regenmorter laid **HB 4508** before the committee:

HB 4508 Kahn Torts; immunity; individuals immune from liability under the emergency management act; expand to include pharmacists and pharmacist interns.

TESTIMONY

Representative Kahn, sponsor of HB 4508, explained his bill to the committee.

Bill Adams, from Representative Kahn's office, testified in support of the bill.

Curtis Hertel, Jr., representing the Michigan Department of Community Health, testified in support of the bill.

Kim Rhead, representing the Michigan Pharmacists Association, submitted a card in support of the bill.

Chairman VanRegenmorter announced the committee would stand at ease, the time being 11:19 a.m.

Chairman VanRegenmorter reconvened the meeting, the time being 11:24 a.m.

The committee returned to the consideration of **SB 308**.

Representative David Law moved to report **SB 308** with recommendation. The motion was supported by **Representative Rocca**.

The motion prevailed by a vote of **9-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Elsenheimer, Jones, David Law, Rocca, Lipsey and Virgil Smith,
Nays: None,
Pass: None.

The committee returned to the consideration of **HB 4508**.

Representative Rocca moved to adopt the substitute (**H-4**) to **HB 4508**. The motion was supported by **Representative David Law**.

The motion prevailed by a vote of **9-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Elsenheimer, Jones, David Law, Rocca, Lipsey and Virgil Smith,
Nays: None,
Pass: None.

Representative Jones moved to report **HB 4508** with recommendation, as substitute (**H-4**). The motion was supported by **Representative Newell**.

The motion prevailed by a vote of **9-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Elsenheimer, Jones, David Law, Rocca, Lipsey and Virgil Smith,
Nays: None,
Pass: None.

The committee returned to the consideration of **HB 5268**.

Representative David Law moved to adopt the substitute (**H-1**) to **HB 5268**. The motion was supported by **Representative Elsenheimer**.

The motion prevailed by a vote of **9-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Elsenheimer, Jones, David Law, Rocca, Lipsey and Virgil Smith,
Nays: None,
Pass: None.

Representative Jones moved to report **HB 5268** with recommendation, as substitute (**H-1**). The motion was supported by **Representative Virgil Smith**.

The motion prevailed by a vote of **9-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Elsenheimer, Jones, David Law, Rocca, Lipsey and Virgil Smith,

Nays: None,
Pass: None.

The committee returned to the consideration of **HB 5269**.

Representative Nofs offered the following amendment to **HB 5269**:

1. Amend page 4, line 2, after "effect" by striking out "January" and inserting "March".

Representative David Law moved to adopt the amendment. The motion was supported by **Representative Jones**.

The motion prevailed by a vote of **9-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Elsenheimer, Jones, David Law, Rocca, Lipsey and Virgil Smith,

Nays: None,
Pass: None.

Representative Rocca moved to report **HB 5269** with recommendation, as amended. The motion was supported by **Representative David Law**.

The motion prevailed by a vote of **9-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Elsenheimer, Jones, David Law, Rocca, Lipsey and Virgil Smith,

Nays: None,
Pass: None.

Representative Jones moved to excuse absent members from committee. The motion was supported by **Representative Elsenheimer**. There being no objection, the motion prevailed by unanimous consent.

There being no further business to come before the committee, the Chair adjourned the meeting at 11:32 a.m.

Representative William Van Regenmorter, Chair
House Standing Committee on Judiciary
Malika Abdur-Rashid
Committee Clerk
517-373-7256
1 Hour 2 minutes